

Order

Michigan Supreme Court
Lansing, Michigan

December 21, 2009

Marilyn Kelly,
Chief Justice

139649

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

BREEN'S LANDSCAPE & SUPPLY
CENTER, INC.,
Plaintiff/Counter-Defendant,

v

SC: 139649
COA: 290266
Oakland CC: 2007-080422-CZ

ROBERT C. KRAUS, INC., MARILYN M.
CASE TRUST, and BRACE K. CASE TRUST,
Defendants/Cross-Defendants,

and

KEK ENTERPRISES, INC., d/b/a K & K
COMPANIES,
Defendant/Counter/Cross/
Third-Party Plaintiff-Appellant,

and

REPUBLIC BANK, INC.,
Defendant/Cross-Defendant-
Appellee,

and

PAINE, PAINE, BRODER, AND FOSSEE, PC,
MARK R. KRAUSE, INC., GREG MARSHALL,
DEBBIE MARSHALL, MULTI-LAKE
ENTERPRISES, INC., OXBOWINDO, INC.,
MGA ROOFING, LLC, A PLUS PAINTING, LLC,
LANGE BUILDING COMPANY, INC.,
LANGE FINISH CARPENTRY, LLC, CGH
HARDWOOD FLOORS, INC., and PROTILE
INSTALLATION, INC.,
Third-Party Defendants.

On order of the Court, the application for leave to appeal the August 4, 2009 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.



d1214

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 21, 2009

Corbin R. Davis

Clerk